

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Charles Odom,

Plaintiff,

vs.

Kenan Kaizer,

Defendant.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 1:10-cv-085

Before the Court is Magistrate Judge Charles S. Miller, Jr.'s Report and Recommendation. See Docket No. 58. Judge Miller recommends denying defendant Kenan Kaizer's motion for judgment on the pleadings. See Docket No. 44. The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record, and finds the Report and Recommendation to be persuasive. Accordingly, the Court **ADOPTS** the Report and Recommendation (Docket No. 58) in its entirety and **DENIES** the defendant's motion for judgment on the pleadings (Docket No. 44).

IT IS SO ORDERED.

Dated this 1st day of August, 2012.

/s/ Daniel L. Hovland

Daniel L. Hovland, District Judge
United States District Court